

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TIRUMALA TIRUPATI DEVASTHANAMS – Appeal filed by Sri S.K.Ahuja, Junior Assistant, Srinivasa Ayurvedic Pharmacy, Tirumala Tirupati Devasthanams, Narasingapuram, Chandragiri Mandal, Chittoor District, Tirupati - Appeal filed under section 120 (ii) of Act 30/1987 – Appeal allowed – orders issued.

REVENUE (ENDOWMENTS.III) DEPARTMENT

G.O.Rt.No. 990

Dated:17-07-2010
Read the following:

1. TTD Board, Res.No.718, dt.24-2-2008.
2. Proceeding Roc.No.B2/3117/2005, dt.12-3-2008 of E.O. TTD.
3. From Sri S.K.Ahuja, Jr. Asst. TTD appeal dt.9-6-2008.
4. From the Executive Officer, TTD Lr.Roc.No.B8/10322/2008, dt.5-7-2009 & 16-2-2010.

ORDER:

Sri S.K.Ahuja, Jr.Asst. TTD has filed an appeal u/s.120 (ii) of Act 30/1987 against the orders of Tirumala Tirupati Devasthanams Board,in Res.No.718, dt.24-2-2008 which were communicated in Proceeding No.B2/3117/2005, dt.12-3-2008 of Executive Officer, Tirumala Tirupati Devasthanams.

The Principal, SVVVS College, Secunderabad in his report dated:17-11-2003 stated that on 8-10-2003 Sri P.Narayana, Scavenger has approached him and asked to sign on a loan form obtained from G.N.Vasavi Finance and he signed the form where he certified that the applicant is an employee. Further, stated that he refused to put his signature on salary deduction form as there are clear instructions that it is the sole discretion and responsibility of the Drawing Officer. After a month, on 7-11-2003, the Manager of G.N.Vasavi Finance approached him for verification and clarification regarding the signature and at that time he noticed that his signature was forged by some body. Immediately, he called the scavenger and Inquired the scavenger since he cannot put his own signature in English properly. Then he revealed that it was the handwork of Sri S.K.Ahuja, Senior Assistant (appellant herein). The Principal further stated that he has also taken a statement from Sri S.K.Ahuja, Senior Assistant which is neither satisfactory nor convincing. Hence the Principal recommended to suspend both the Scavenger and the Senior assistant with immediate effect and also to take disciplinary action against them to curb such illegal acts in future.

Basing on the report of the Principal S.V.V.V.S. College, Secunderabad Sri S.K.Ahuja, Senior Assistant was suspended.

The Asst. Exe. Officer (Enquiries-I), T.T.D., Tirupati who was appointed as Enquiry officer, conducted enquiry as per CCA Rules. During the enquiry the reporting officer (Principal S.V.V.V.S College) has deposed what he has already stated in the preliminary report. Sri K.Srinivas, Field Staff representative of the M/S G.N.Vasavi Finance Ltd. Hyderabad has deposed that Sri S.K.Ahuja, Manager of the S.V.V.V.S. College, and Sri P.Narayana, Scavenger, S.V.V.V.S. College, came to their office for financial assistance along with the salary certificates of the previous months. After verification of the salary certificate he gave the application forms along with the undertaking letters for obtaining the drawing officer signature. He also deposed that Sri P.Narayana, came to his office along with his wife and submitted the application and undertaking letter. When contacted the Principal, S.V.V.V.S. College, he agreed that the signature in the loan application form was correct but he was having doubt about his signature in the undertaking letter. In the circumstances, the Enquiry Officer found

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that Sri P.Narayana, Sanitary Worker himself could not have forged the signature of the Principal in the undertaking letter since he cannot put his own signature properly and that this letter dt:12-11-2003 addressed to the Principal clearly speaks that Sri S.K.Ahuja at the time of enquiry was only an after thought and the same was witnessed by his wife was only an attempt to fool the management. Hence, the Enquiry Officer held proved the charges leveled against the appellant. Further, stated that the Additional Charges leveled against the appellant may not be pressed as the appellant produced relevant medical certificate in support of his explanation.

The Enquiry Officer in his enquiry held proved the charge leveled against him. Accordingly, the appellant was punished with "Reduction in Rank".

Aggrieved by the above said orders, he preferred an appeal before the TTD Board u/s 120(i) of Act 30/1987. The Board in its Res. No.718, dt.24-2-2008 has dismissed the appeal and the same was communicated to the appellant vide Executive Officer, TTD Proceedings 3rd read above.

Aggrieved by the above said decision of the TTD Board, he filed the present appeal before the Government under section 120 (ii) of Act 30/1987.

The case was taken up for hearing on 26-12-2009 & 25-5-2010. The appellant appeared in person. On behalf of TTD, the Special Officer, Balaji Bhavan was present. The appellant has produced a copy of the Judgment dated 12-12-2008 of XI Additional Chief Metropolitan Magistrate, Secunderabad rendered in C.C.No.1000/2004, wherein the petitioner was acquitted of the charges of forgery. The appellant has pleaded that the charges on which the punishment of reduction in rank was inflicted by the Executive Officer, Tirumala Tirupati Devasthanams were not proved in the criminal prosecution launched against him and the punishment imposed may be set-aside.

The Executive Officer, Tirumala Tirupati Devasthanams in his letter dt.16-2-2010 has informed that the Tirumala Tirupati Devasthanams, has not filed any appeal against the acquittal order dt.12-12-2008 of XI Additional Chief Metropolitan Magistrate, Secunderabad rendered in C.C.No.1000/2004 in respect of Sri S.K.Ahuja, Junior Assistant.

The Government after careful examination of the matter, hereby allow the appeal as the appellant was acquitted in the criminal case filed against him in C.C.No.1000/2004 on the file of XI Additional Chief Metropolitan magistrate, Secunderabad and no appeal preferred against the acquittal order.

The Executive Officer, Tirumala Tirupati Devasthanams, shall take further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.V.RAMANACHARY,
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Sri S.K.Ahuja, Junior Assistant, Srinivasa Ayurvedic Pharmacy,
Tirumala Tirupati Devasthanams, Narasingapuram, Chandragiri Mandal,
Chittoor District, **through Executive Officer, Tirumala Tirupati Devasthanams,**

The Executive Officer, Tirumala Tirupati Devasthanams, Tirupati.

Copy to: OSD to M (Endts., S & R).

P.S. to Prl. Secy. (Endowments).

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER